

**JOURNAL**  
OF THE  
**House of Representatives**  
OF THE  
**REGULAR SESSION**  
OF THE  
**FORTIETH LEGISLATURE**  
BEGUN AND HELD AT  
**THE CITY OF AUSTIN, JANUARY 11, 1927**



  
VON BOECKMANN-JONES CO.,  
AUSTIN, TEXAS

PROVIDING FOR A COMMITTEE TO  
INVESTIGATE BRIBERY  
CHARGES.

Mr. Sinks offered the following resolution:

Whereas, Complaints have been filed in justice court, precinct No. 1, of Travis county, Texas, charging that F. A. Dale and H. H. Moore, members of the House of Representatives of the

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Fortieth Legislature of Texas, have violated the law of the State of Texas by accepting a bribe, and which charge, if true, also constitutes a gross violation of the rules of the House of Representatives and the propriety of its members; and

Whereas, Said complaints were filed by Captain Tom Hickman and Captain Frank Hamer, of the ranger force of Texas, whose standing and reputation as peace officers is such as to command the respect and consideration of members of the Legislature and the people of Texas; and

Whereas, The House of Representatives desires to and must maintain its honor and integrity, as well as the interest and welfare of the people of Texas; and

Whereas, A full, fair and complete investigation should be made by the House of Representatives relating to said charges, to the end that the facts and truth may be known, and proper action taken with respect thereto; therefore, be it

Resolved by the House of Representatives:

Section 1. That a committee of nine members of the House of Representatives be appointed by the Speaker from its members, whose duty it shall be to conduct a prompt and full investigation of the charges so made against the said F. A. Dale and H. H. Moore, and report its findings at the earliest practicable time to the House of Representatives, together with its recommendations in connection therewith.

Sec. 2. That said committee shall have power to formulate its own rules of procedure and evidence, and provide for its own hours of meeting and adjournment.

Sec. 3. That the said committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and the production of books and records; that upon the disobedience of any subpoena, said committee shall have power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee, or any sheriff or constable of this State.

Sec. 4. That witnesses attending the session of said committee, under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

Sec. 5. That said committee shall have power and authority to employ and compensate all necessary investigators, attorneys, stenographers, and all other necessary employes, and it shall be the duty of said committee to make and keep a record of its findings.

Sec. 6. That all necessary expense incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expense of the Fortieth Legislature, upon the sworn account of persons entitled to such pay, when approved by the chairman of said committee.

Signed—Sinks, Fly, Veatch, Teer, Shaver, Montgomery, Rawlins, Petsch.

The resolution was read second time and was adopted.

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COMMITTEE TO INVESTIGATE  
BRIBERY CHARGE.

In compliance with a resolution adopted by the House of Representatives, February 3, 1927, the Speaker announced the appointment of the following committee:

Messrs. Sinks, Chairman; Fly, Barron, Veatch, Rawlins, Holder, Minor, Petsch and Stout.

REPORT OF THE COMMITTEE TO  
INVESTIGATE BRIBERY  
CHARGES.

Mr. Sinks, chairman of the committee, submitted the following report of the committee to investigate certain bribery charges:

Report Investigating Committee Reference Charges Representatives Dale and Moore.

We, your committee appointed by virtue of House simple resolution of February 3rd to investigate matters covered by the complaints heretofore filed in Justice Court, Precinct No. 1, Travis county, Texas, charging Representatives F. A. Dale and H. H. Moore with bribery, beg leave to report as follows, to-wit:

1. The investigation was conducted in open session in the Hall of the House of Representatives in the presence of such membership of the House as desired to avail themselves of the opportunity to hear the evidence, and see the witnesses testifying, and the work was done with all possible dispatch. The accused Representatives were present during the entire hearing, and were represented by counsel, and the House of Representatives was represented by the Attorney General's Department. After the conclusion of the evidence, the matters were submitted to the committee by both sides without argument, argument having been waived by both sides.

2. In accordance with the instructions of the resolution, we report the following as our conclusions upon the facts developed:

(a) That the charges filed against said Representatives Dale and Moore in said justice court are justifiable, and sufficient ground exists for the filing of same; that said Representatives have been guilty of conduct unbecoming any member of the House of Representatives, and unjustifiable upon any principle of sound and safe government.

(b) That the conduct of Representatives Dale and Moore, as evidenced by the hereto attached transcript of testimony, is such as is deserving of the highest punishment that the House of Representatives can mete out and impose.

3. And therefore, in accordance with the premises and instructions of the resolution creating this committee, we recommend as follows:

That Representatives Dale and Moore be expelled, their seats be declared vacant, and that the adoption of this report by the House of Representatives be declared as its official act of expulsion.

Respectfully submitted,

SINKS, Chairman;  
RAWLINS,  
FLY,  
VEATCH,  
HOLDER,  
MINOR,  
BARRON,  
STOUT,  
PETSCH.

# REPORT OF THE COMMITTEE TO INVESTIGATE CERTAIN BRIB- ERY CHARGES.

The House resumed consideration of pending business, same being the report of the Committee to Investigate Certain Bribery Charges, with motion by Mr. Loftin that the testimony of the committee be printed.

Mr. Sinks offered the following amendment to the report:

Amend the committee's report by adding thereto the following:

"That the action of the House of Representatives with respect to the recommendations herein made be taken on the parties separately; that is, that a vote be cast upon the adoption of this resolution first with respect to F. A. Dale, and second, with respect to H. H. Moore."

Mr. Jacks moved a call of the House for the purpose of maintaining a quorum pending consideration of the report, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll of the House was taken and the following members answered to their names:

Mr. Speaker.	Brown.
Acker.	Conway.
Alexander.	Cornwell.
Anderson.	Cox.
Avis.	Cummings.
Barnett.	Daniel.
Barron.	Davis.
Bass.	DeBerry.
Bateman.	Dunman.
Beck.	Dunlap.
Black.	Duvall.
Boggs.	Enderby.
Boon.	Eickenroht.

Farrar.	Poage.
Faulk.	Pool.
Finlay.	Pope.
Fly.	Porter.
Forbes.	Purl.
Foster.	Ramsey.
Fuchs.	Rawlins.
Gibson.	Reagan.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Renfro of Mills.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Rowell.
Harman.	Runge.
Hefley.	Satterwhite.
High.	Shaver.
Holder.	Shearer.
Holland.	Sheats.
Hornaday.	Shirley.
Jacks.	Simmons.
Jones.	Sinks.
Justice.	Smith of El Paso.
Kayton.	Smith of Nueces.
Kemble.	Smith of Smith.
Kennedy.	Smyth.
Kenyon.	Snelgrove.
Kincaid.	Stell.
King of	Stevenson.
Throckmorton.	Storey.
Kinnear.	Stout.
Kirkland.	Swain.
Land.	Taylor.
Lipscomb.	Teer.
Loftin.	Turner.
Long.	Van Zandt.
Loy.	Veatch.
McCombs.	Waddell.
McGill.	Walker.
McKean.	Wallace
Merritt.	of Freestone.
Minor.	Wallace of Panola.
Morse.	Wallace of Smith.
Moursund.	Wassell.
Murphy.	Webb.
Nabors.	Wells.
Nicholson.	Whitaker.
Olsen.	Williams
Parish of Runnels.	of Travis.
Parrish of Travis.	Williamson.
Pavlica.	Woodall.
Pearce.	Woodruff.
Petsch.	Young.

Absent.

Dale.	Sutton.
Gates.	Tillotson.
Moore.	

Absent—Excused.

Albritton.	Johnson.
Bird.	King of Hopkins.
Bonham.	Kirby.
Branch.	Masterson.
Dielmann.	Montgomery.
Durham.	Powell.

Sanders. Williams  
Smith of Atascosa. of Sabine.  
Ware.

On motion of Mr. Jacks, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Question recurring on the amendment by Mr. Sinks to the report, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—123.

Mr. Speaker.	Kincaid.
Acker.	King of
Alexander.	Throckmorton.
Anderson.	Kinnear.
Avis.	Kirkland.
Barnett.	Land.
Barron.	Lipscomb.
Bass.	Loftin.
Bateman.	Long.
Beck.	Loy.
Black.	McCombs.
Boggs.	McGill.
Boon.	Merritt.
Brown.	Morse.
Conway.	Moursund.
Cornwell.	Murphy.
Cox.	Nabors.
Cummings.	Nicholson.
Daniel.	Olsen.
Davis.	Parish of Runnels.
DeBerry.	Parrish of Travis.
Denman.	Pavlica.
Dunlap.	Petsch.
Duvall.	Pool.
Enderby.	Pope.
Eickenroht.	Porter.
Farrar.	Purl.
Faulk.	Ramsey.
Finlay.	Rawlins.
Fly.	Reagan.
Forbes.	Renfro
Foster.	of Angelina.
Fuchs.	Renfro of Mills.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Runge.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Sheats.
Hefley.	Shirley.
High.	Simmons.
Holder.	Sinks.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Jones.	Smyth.
Justice.	Snelgrove.
Kemble.	Stell.
Kennedy.	Stevenson.
Kenyon.	Storey.

Stout.	Wallace of Smith.
Swain.	Webb.
Teer.	Wells.
Turner.	Whitaker.
Van Zandt.	Williams
Veatch.	of Travis.
Waddell.	Williamson.
Walker.	Woodall.
Wallace	Woodruff.
of Freestone.	Young.
Wallace of Panola.	

## Nays—2.

Minor.	Taylor.
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## Absent.

Dale.	Pearce.
Gates.	Poage.
Kayton.	Sutton.
McKean.	Tillotson.
Moore.	Wassell.

## Absent—Excused.

Albritton.	Masterson.
Bird.	Montgomery.
Bonham.	Powell.
Branch.	Sanders.
Dielmann.	Smith of Atascosa.
Durham.	Ware.
Johnson.	Williams
King of Hopkins.	of Sabine.
Kirby.	

(Mr. Satterwhite in the chair.)

Mr. Loftin withdrew the pending motion to print the testimony in the Journal.

Mr. Loy moved the previous question on the adoption of the report, and the motion was not seconded.

Mr. Woodall moved to reconsider the vote by which the House ordered a call of the House pending consideration of the report.

Yeas any nays were demanded, and the motion to reconsider the vote by which the call was ordered was lost by the following vote:

## Yeas—35.

Barron.	Jones.
Black.	Justice.
Boon.	Kenyon.
Cornwell.	Loftin.
Cox.	Murphy.
Daniel.	Olsen.
Dielmann.	Pavlica.
Farrar.	Pearce.
Faulk.	Reagan.
Finlay.	Runge.
Gibson.	Sheats.
Gilbert.	Shirley.
Hefley.	Smyth.
Holland.	Storey.

Stout.  
Swain.  
Turner.  
Walker.

Wallace of Smith.  
Woodall.  
Woodruff.

Nays—89.

Alexander.  
Anderson.  
Avis.  
Barnett.  
Bass.  
Bateman.  
Beck.  
Boggs.  
Brown.  
Conway.  
Cummings.  
Davis.  
DeBerry.  
Denman.  
Durham.  
Duvall.  
Enderby.  
Eickenroht.  
Fly.  
Forbes.  
Foster.  
Fuchs.  
Graves.  
Gray.  
Hall.  
Harding.  
Harman.  
High.  
Holder.  
Hornaday.  
Jacks.  
Kayton.  
Kemble.  
Kennedy.  
Kincaid.  
King of  
Throckmorton.  
Kinnear.  
Kirkland.  
Lipscomb.  
Long.  
Loy.  
McCombs.  
McGill.  
McKean.  
Merritt.  
Minor.

Morse.  
Moursund.  
Nabors.  
Nicholson.  
Parish of Runnels.  
Parrish of Travis.  
Petsch.  
Pool.  
Pope.  
Porter.  
Purl.  
Ramsey.  
Rawlins.  
Renfro  
of Angelina.  
Renfro of Mills.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Shaver.  
Shearer.  
Simmons.  
Sinks.  
Smith of El Paso.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Stell.  
Stevenson.  
Sutton.  
Taylor.  
Teer.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace  
of Freestone.  
Wallace of Panola.  
Wassell.  
Webb.  
Wells.  
Whitaker.  
Williams  
of Travis.  
Williamson.  
Young.

Absent.

Acker.  
Dale.  
Dunlap.  
Gates.  
Hagaman.

Land.  
Moore.  
Poage.  
Satterwhite.  
Tillotson.

Absent—Excused.

Albritton.  
Bird.  
Bonham.  
Branch.

Johnson.  
King of Hopkins.  
Kirby.  
Masterson.

Montgomery.  
Powell.  
Sanders.  
Smith of Atascosa.

Ware.  
Williams  
of Sabine.

Mr. Morse moved that the testimony of the committee be read in full to the House.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—66.

Anderson.  
Barron.  
Bateman.  
Beck.  
Boon.  
Brown.  
Cox.  
Cummings.  
Daniel.  
DeBerry.  
Denman.  
Dielmann.  
Dunlap.  
Farrar.  
Faulk.  
Foster.  
Fuchs.  
Gibson.  
Gilbert.  
Harding.  
Hefley.  
Hornaday.  
Jacks.  
Jones.  
Justice.  
Kayton.  
Kemble.  
Kenyon.  
Loftin.  
Loy.  
McCombs.  
McKean.  
Minor.

Morse.  
Moursund.  
Murphy.  
Nabors.  
Parish of Runnels.  
Pavlica.  
Poage.  
Pool.  
Pope.  
Porter.  
Purl.  
Rawlins.  
Reagan.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Runge.  
Shearer.  
Sheats.  
Shirley.  
Smith of El Paso.  
Smith of Smith.  
Smyth.  
Storey.  
Stout.  
Sutton.  
Swain.  
Van Zandt.  
Wallace of Smith.  
Wassell.  
Wells.  
Williamson.  
Woodall.

Nays—58.

Alexander.  
Avis.  
Barnett.  
Bass.  
Black.  
Boggs.  
Conway.  
Cornwell.  
Davis.  
Durham.  
Duvall.  
Enderby.  
Eickenroht.  
Forbes.  
Graves.  
Gray.  
Hagaman.  
Hall.

Harman.  
High.  
Holder.  
Holland.  
Kennedy.  
Kincaid.  
King of  
Throckmorton.  
Kinnear.  
Kirkland.  
Land.  
Lipscomb.  
Long.  
McGill.  
Merritt.  
Nicholson.  
Olsen.  
Parrish of Travis.

Pearce.	Teer.
Petsch.	Turner.
Ramsey.	Waddell.
Renfro	Walker.
of Angelina.	Wallace
Renfro of Mills.	of Freestone.
Shaver.	Wallace of Panola.
Simmons.	Webb.
Smith of Nueces.	Whitaker.
Snelgrove.	Williams
Stevenson.	of Travis.
Taylor.	Young.

Absent.

Acker.	Satterwhite.
Dale.	Sinks.
Finlay.	Stell.
Fly.	Tillotson.
Gates.	Veatch.
Moore.	Woodruff.

Absent—Excused.

Albritton.	Montgomery.
Bird.	Powell.
Bonham.	Sanders.
Branch.	Smith of Atascosa.
Johnson.	Ware.
King of Hopkins.	Williams
Kirby.	of Sabine.
Masterson.	

Mr. Stevenson moved to reconsider the vote by which the House instructed the Sergeant-at-Arms to bring in all absentees within the city.

Mr. Kemble moved to table the motion, and the motion to table was lost.

Question then recurring on the motion of Mr. Stevenson, yeas and nays were demanded.

The motion to reconsider prevailed by the following vote:

Yeas—73.

Alexander	Graves.
Barnett.	Gray.
Bass.	Hall.
Bateman.	Harding.
Beck.	Harman.
Black.	Hefley.
Boggs.	Holland.
Boon.	Hornaday.
Brown.	Jacks.
Cox.	Jones.
Daniel.	Kenyon.
Denman.	Kincaid.
Dielmann.	King of
Dunlap.	Throckmorton.
Enderby.	Land.
Eickenroht.	Lofitin.
Farrar.	Loy.
Faulk.	McCombs.
Foster.	Murphy.
Fuchs.	Nabors.
Gilbert.	Olsen.

Parish of Runnels.	Smith of Nueces.
Pavlica.	Smyth.
Pearce.	Stevenson.
Poage.	Storey.
Ramsey.	Stout.
Reagan.	Sutton.
Renfro	Turner.
of Angelina.	Van Zandt.
Renfro of Mills.	Walker.
Rogers of Hays.	Wallace
Rogers of Shelby.	of Freestone.
Rowell.	Wallace of Panola.
Runge.	Wallace of Smith.
Shearer.	Wassell.
Sheats.	Webb.
Shirley.	Woodruff.
Simmons.	

Nays—49.

Anderson.	Morse.
Avis.	Moursund.
Barron.	Parrish of Travis.
Conway.	Pool.
Cornwell.	Pope.
Cummings.	Porter.
Davis.	Purl.
DeBerry.	Rawlins.
Durham.	Shaver.
Finlay.	Smith of El Paso.
Fly.	Smith of Smith.
Forbes.	Snelgrove.
Gibson.	Swain.
High.	Taylor.
Holder.	Teer.
Justice.	Veatch.
Kayton.	Waddell.
Kemble.	Wells.
Kinnear.	Whitaker.
Kirkland.	Williams
Lipscomb.	of Travis.
Long.	Williamson.
McGill.	Woodall.
McKean.	Young.
Minor.	

Absent.

Acker.	Moore.
Dale.	Nicholson.
Duvall.	Petsch.
Gates.	Satterwhite.
Hagaman.	Sinks.
Kennedy.	Stell.
Merritt.	Tillotson.

Absent—Excused.

Albritton.	Montgomery.
Bird.	Powell.
Bonham.	Sanders.
Branch.	Smith of Atascosa.
Johnson.	Ware.
King of Hopkins.	Williams
Kirby.	of Sabine.
Masterson.	

Question then recurring on the motion to instruct the Sergeant-at-Arms to

bring in all absentees within the city, it was lost.

Mr. Stevenson moved to reconsider the vote by which the House ordered a call of the House pending consideration of the report of the committee.

Yeas and nays were demanded and the motion to reconsider prevailed by the following vote:

# Yeas—66.

Alexander.	Long.
Barnett.	McCombs.
Bass.	Merritt.
Bateman.	Nabors.
Black.	Olsen.
Boggs.	Pavlica.
Boon.	Pearce.
Brown.	Poage.
Conway.	Ramsey.
Cornwell.	Reagan.
Cox.	Renfro
Daniel.	of Angelina.
Denman.	Renfro of Mills.
Dunlap.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Rowell.
Farrar.	Runge.
Faulk.	Shearer.
Foster.	Sheats.
Fuchs.	Shirley.
Gilbert.	Simmons.
Gray.	Smith of Nueces.
Hall.	Smyth.
Harding.	Stell.
Harman.	Stevenson.
Hefley.	Storey.
Holland.	Sutton.
Hornaday.	Turner.
Jacks.	Walker.
Jones.	Wallace
Kenyon.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Land.	Wassell.
Loftin.	

# Nays—60.

Anderson.	Justice.
Avis.	Kayton.
Barron.	Kemble.
Beck.	Kincaid.
Cummings.	Kinnear.
Davis.	Kirkland.
DeBerry.	Lipscomb.
Dielmann.	McGill.
Durham.	McKean.
Duvall.	Minor.
Finlay.	Morse.
Fly.	Moursund.
Forbes.	Murphy.
Gibson.	Nicholson.
Graves.	Parish of Runnels.
Hagaman.	Parrish of Travis.
High.	Petsch.
Holder.	Pool.

Pope.	Van Zandt.
Porter.	Veatch.
Purl.	Waddell.
Rawlins.	Webb.
Sinks.	Wells.
Smith of El Paso.	Whitaker.
Smith of Smith.	Williams
Snelgrove.	of Travis.
Stout.	Williamson.
Swain.	Woodall.
Taylor.	Woodruff.
Teer.	Young.

# Present—Not Voting.

Loy.	Shaver.
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# Absent.

Acker.	Moore.
Dale.	Satterwhite.
Gates.	Tillotson.
Kennedy.	

# Absent—Excused.

Albritton.	Montgomery.
Bird.	Powell.
Bonham.	Sanders.
Branch.	Smith of Atascosa.
Johnson.	Ware.
King of Hopkins.	Williams
Kirby.	of Sabine.
Masterson.	

Question then recurring on the motion for the call of the House, yeas and nays were demanded.

The motion was lost by the following vote:

# Yeas—56.

Anderson.	Minor.
Avis.	Morse.
Barnett.	Moursund.
Barron.	Nicholson.
Cornwell.	Parrish of Travis.
Cummings.	Petsch.
Davis.	Pool.
DeBerry.	Pope.
Dielmann.	Porter.
Durham.	Rawlins.
Duvall.	Shaver.
Fly.	Sinks.
Forbes.	Smith of El Paso.
Gibson.	Smith of Smith.
Gilbert.	Snelgrove.
Hagaman.	Stout.
High.	Swain.
Holder.	Taylor.
Kayton.	Teer.
Kemble.	Van Zandt.
Kincaid.	Veatch.
Kinnear.	Waddell.
Kirkland.	Wells.
Loy.	Whitaker.
McCombs.	Williams
McGill.	of Travis.
McKean.	Williamson.



Woodall. Young.  
Woodruff.

## Nays—69.

Alexander.	Long.
Bass.	Merritt.
Bateman.	Murphy.
Beck.	Nabors.
Black.	Olsen.
Boggs.	Pavlica.
Boon.	Pearce.
Brown.	Poage.
Conway.	Purl.
Cox.	Ramsey.
Daniel.	Reagan.
Denman.	Renfro
Dunlap.	of Angelina.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Faulk.	Rowell.
Finlay.	Runge.
Foster.	Shearer.
Fuchs.	Sheats.
Gray.	Shirley.
Hall.	Simmons.
Harding.	Smith of Nueces.
Harman.	Smyth.
Hefley.	Stevenson.
Holland.	Storey.
Hornaday.	Sutton.
Jacks.	Turner.
Jones.	Walker.
Justice.	Wallace
Kenyon.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Land.	Wassell.
Lipscomb.	Webb.
Loftin.	

## Absent.

Acker.	Moore.
Dale.	Parish of Runnels.
Gates.	Satterwhite.
Graves.	Stell.
Kennedy.	Tillotson.

## Absent—Excused.

Albritton.	Montgomery.
Bird.	Powell.
Bonham.	Sanders.
Branch.	Smith of Atascosa.
Johnson.	Ware.
King of Hopkins.	Williams
Kirby.	of Sabine.
Masterson.	

# REPORT OF THE COMMITTEE TO INVESTIGATE BRIBERY CHARGES.

The House resumed consideration of pending business, same being the report of the committee to investigate certain bribery charges.

The Clerk then proceeded to read the testimony taken before the committee.

Mr. Kemble moved a call of the House for the purpose of maintaining a quorum until 11 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll of the House was called and the following members answered to their names:

Alexander.	Durham.
Anderson.	Duvall.
Avis.	Enderby.
Barnett.	Farrar.
Barron.	Faulk.
Bass.	Finlay.
Bateman.	Fly.
Beck.	Forbes.
Bird.	Foster.
Black.	Fuchs.
Boggs.	Gibson.
Brown.	Gilbert.
Conway.	Graves.
Cornwell.	Gray.
Cox.	Hagaman.
Cummings.	Hall.
Daniel.	Harding.
Davis.	Harman.
DeBerry.	Hefley.
Denman.	High.
Dielmann.	Holder.
Dunlap.	Holland.

Hornaday.	Rogers of Hays.
Jacks.	Rogers of Shelby.
Jones.	Rowell.
Justice.	Runge.
Kayton.	Sanders.
Kemble.	Satterwhite.
Kennedy.	Shaver.
Kenyon.	Shearer.
Kincaid.	Sheats.
King of Hopkins.	Shirley.
King of	Simmons.
Throckmorton.	Sinks.
Kinnear.	Smith of Atascosa.
Kirkland.	Smith of El Paso.
Land.	Smith of Nueces.
Lipscomb.	Smith of Smith.
Loftin.	Smyth.
Long.	Snelgrove.
McCombs.	Stell.
McGill.	Stevenson.
McKean.	Storey.
Merritt.	Stout.
Minor.	Sutton.
Morse.	Swain.
Moursund.	Taylor.
Murphy.	Teer.
Nabors.	Turner.
Nicholson.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace
Pearce.	of Freestone.
Petsch.	Wallace of Panola.
Poage.	Wallace of Smith.
Pool.	Wassell.
Pope.	Webb.
Porter.	Wells.
Purl.	Whitaker.
Ramsey.	Williams
Rawlins.	of Travis.
Renfro	Williamson.
of Angelina	Woodall.
Renfro of Mills.	Young.

## Absent.

Acker.	Gates.
Boon.	Moore.
Dale.	Reagan.
Eickenroht.	Woodruff.

## Absent—Excused.

Albritton.	Montgomery.
Bonham.	Powell.
Branch.	Tillotson.
Johnson.	Ware.
Kirby.	Williams
Loy.	of Sabine.
Masterson.	

On motion of Mr. Kemble the Sergeant-at-Arms was instructed to bring in all absent members within the city.

(Speaker in the chair.)

Mr. Jacks moved to reconsider the

vote by which the House ordered a call of the House until 11 o'clock p. m. to-day.

Yeas and nays were demanded and the motion to reconsider prevailed by the following vote:

## Yeas—69.

Mr. Speaker.	Minor.
Alexander.	Nabors.
Anderson.	Nicholson.
Bass.	Olsen.
Bird.	Parish of Runnels.
Black.	Pavlica.
Boggs.	Pearce.
Brown.	Petsch.
Conway.	Poage.
Cornwell.	Porter.
Cox.	Purl.
Daniel.	Reagan.
DeBerry.	Renfro
Denman.	of Angelina.
Dielmann.	Rogers of Hays.
Durham.	Rogers of Shelby.
Enderby.	Runge.
Faulk.	Sanders.
Fuchs.	Satterwhite.
Gilbert.	Shaver.
Gray.	Shearer.
Hagaman.	Sheats.
Harding.	Shirley.
Hefley.	Simmons.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smyth.
Justice.	Stell.
Kennedy.	Stevenson.
Kenyon.	Storey.
King of	Turner.
Throckmorton.	Wallace
Kirkland.	of Freestone.
Land.	Wallace of Panola.
Loftin.	Wassell.
Long.	Webb.
Merritt.	

## Nays—47.

Avis.	McKean.
Barnett.	Morse.
Barron.	Moursund.
Cummings.	Murphy.
Davis.	Parrish of Travis.
Duvall.	Pool.
Finlay.	Pope.
Fly.	Ramsey.
Forbes.	Rawlins.
Foster.	Renfro of Mills.
Harman.	Sinks.
High.	Smith of Smith.
Holder.	Snelgrove.
Jones.	Stout.
Kincaid.	Sutton.
Kinnear.	Swain.
Lipscomb.	Taylor.
McCombs.	Teer.
McGill.	Vin Zandt.

Veatch.  
Waddell.  
Walker.  
Wells.  
Whitaker.

Williams  
of Travis.  
Williamson.  
Woodall.  
Young.

Absent.

Acker.	Gibson.
Bateman.	Graves.
Beck.	Hall.
Boon.	Kayton.
Dale.	Kemble.
Dunlap.	Moore.
Eickenroht.	Rowell.
Farrar.	Wallace of Smith.
Gates.	

Absent—Excused.

Albritton.	Montgomery.
Bonham.	Powell.
Branch.	Smith of Atascosa.
Johnson.	Tillotson.
King of Hopkins.	Ware.
Kirby.	Williams
Loy.	of Sabine.
Masterson.	Woodruff.

REPORT OF THE COMMITTEE TO  
INVESTIGATE CERTAIN BRIB-  
ERY CHARGES.

The House resumed consideration of pending business, same being the report of the committee to investigate certain bribery charges.

(Pending the reading of the testimony, Mr. DeBerry and Mr. Jacks occupied the chair temporarily.)

(Speaker in the chair.)

REPORT OF THE COMMITTEE TO  
INVESTIGATE BRIBERY  
CHARGES.

The House resumed consideration of pending business, same being the report of the committee to investigate certain bribery charges.

Mr. Young moved a call of the House for the purpose of maintaining a quorum pending consideration of the report, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll of the House was taken, and the following members answered to their names:

Mr. Speaker.	Bass.
Acker.	Bateman.
Alexander.	Beck.
Anderson.	Bird.
Avis.	Black.
Barnett.	Boggs.
Barron.	Boon.

Branch.	Olsen.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Pavlica.
Cox.	Pearce.
Daniel.	Petsch.
Davis.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dielmann.	Porter.
Dunlap.	Purl.
Durham.	Ramsey.
Duvall.	Rawlins.
Enderby.	Renfro
Eickenroht.	of Angelina.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Gray.	Shirley.
Hagaman.	Simmons.
Hall.	Sinks.
Harding.	Smith of El Paso.
Harman.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Smyth.
Holder.	Snelgrove.
Holland.	Stell.
Hornaday.	Stevenson.
Jacks.	Storey.
Jones.	Stout.
Justice.	Sutton.
Kayton.	Swain.
Kennedy.	Taylor.
Kenyon.	Teer.
Kincaid.	Turner.
King of Hopkins.	Van Zandt.
King of	Veatch.
Throckmorton.	Waddell.
Kinnear.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Loftin.	Wallace of Panola.
Long.	Wallace of Smith.
Loy.	Ware.
McCombs.	Wassell.
McGill.	Webb.
McKean.	Wells.
Merritt.	Whitaker.
Minor.	Williams
Morse.	of Travis.
Moursund.	Williamson.
Murphy.	Woodall.
Nabors.	Woodruff.
Nicholson.	Young.

Absent.

Cummings.	Kemble.
Dale.	Lipscomb.
Foster.	Masterson.
Gates.	Montgomery.

Moore.	Renfro of Mills.
Reagan.	

Absent—Excused.

Albritton.	Smith of Atascosa.
Bonham.	Tillotson.
Johnson.	Williams
Kirby.	of Sabine.
Powell.	

On motion of Mr. Young, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Mr. Sinks offered the following resolution:

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative F. A. Dale be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time. Mr. Holland moved the previous question on the resolution, and the motion was not seconded.

Mr. Satterwhite moved the previous question on the resolution, and the motion was not seconded.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—133.

Mr. Speaker.	Boon.
Acker.	Branch.
Alexander.	Brown.
Anderson.	Conway.
Avis.	Cornwell.
Barnett.	Cox.
Barron.	Cummings.
Bass.	Daniel.
Bateman.	Davis.
Beck.	DeBerry.
Black.	Denman.
Boggs.	Dielmann.

Dunlap.	Pearce.
Durham.	Petsch.
Duvall.	Poage.
Enderby.	Pool.
Eickenroht.	Pope.
Farrar.	Porter.
Faulk.	Purl.
Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro
Foster.	of Angelina.
Fuchs.	Renfro of Mills.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Runge.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Sheats.
Hefley.	Simmons.
High.	Sinks.
Holder.	Smith of Atascosa.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Johnson.	Smyth.
Jones.	Snelgrove.
Justice.	Stell.
Kayton.	Stevenson.
Kemble.	Storey.
Kennedy.	Stout.
Kenyon.	Sutton.
Kincaid.	Swain.
King of	Taylor.
Throckmorton.	Teer.
King of Hopkins.	Turner.
Kinnear.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Lipscomb.	Walker.
Long.	Wallace
Loy.	of Freestone.
Masterson.	Wallace of Panola.
McCombs.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Merritt.	Webb.
Minor.	Wells.
Morse.	Whitaker.
Moursund.	Williams
Murphy.	of Travis.
Nabors.	Williamson.
Nicholson.	Woodall.
Olsen.	Woodruff.
Parish of Runnels.	Young.
Parrish of Travis.	

Nays—4.

Loftin.	Sanders.
Pavlica.	Shirley.

Present—Not Voting.

Bird.	Reagan.
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Absent.

Dale.	Moore.
Gates.	Tillotson.

Absent—Excused.

Albritton.	Powell.
Bonham.	Williams
Kirby.	of Sabine.
Montgomery.	

Mr. Sinks offered the following resolution:

Whereas, On the 7th day of February, A. D. 1927, the special investigating committee authorized by resolution adopted by the House of Representatives to investigate the alleged bribery charges pending against Representatives F. A. Dale and H. H. Moore in the courts of this State was received by the House and filed among its records; and

Whereas, In said report the committee found that said bribery charges against Representatives F. A. Dale and H. H. Moore are justifiable, and that their conduct has been such as to render them unfit to sit as members of the House of Representatives, and said committee did recommend that said Dale and Moore be expelled by this House; therefore, be it

Resolved by the House of Representatives, That Representative H. H. Moore be expelled from the House of Representatives of the Fortieth Legislature of Texas, and his seat declared vacant.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—119.

Mr. Speaker.	Denman.
Acker.	Dielmann.
Alexander.	Dunlap.
Anderson.	Durham.
Avis.	Duvall.
Barnett.	Enderby.
Barron.	Faulk.
Bass.	Fly.
Bateman.	Forbes.
Black.	Foster.
Boggs.	Fuchs.
Boon.	Gilbert.
Branch.	Graves.
Brown.	Hagaman.
Conway.	Hall.
Cornwell.	Harding.
Cox.	Harman.
Cummings.	Hefley.
Daniel.	High.
Davis.	Holder.
DeBerry.	Holland.

Jacks.	Rogers of Shelby.
Jones.	Rowell.
Justice.	Runge.
Kayton.	Satterwhite.
Kemble.	Shaver.
Kennedy.	Shearer.
Kenyon.	Sheats.
Kincaid.	Simmons.
King of Hopkins.	Sinks.
King of Throckmorton.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Lipscomb.	Smith of Smith.
Long.	Smyth.
Loy.	Snelgrove.
Masterson.	Stell.
McCombs.	Stevenson.
McGill.	Storey.
McKean.	Stout.
Merritt.	Sutton.
Minor.	Swain.
Morse.	Taylor.
Moursund.	Teer.
Murphy.	Tillotson.
Nabors.	Turner.
Nicholson.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Petsch.	Wallace
Poage.	of Freestone.
Pool.	Wallace of Panola.
Pope.	Wassell.
Porter.	Webb.
Purl.	Wells.
Ramsey.	Whitaker.
Rawlins.	Williams
Renfro	of Travis.
of Angelina.	Williamson.
Renfro of Mills.	Woodruff.
Rogers of Hays.	Young.

## Nays—14.

Farrar.	Pavlica.
Finlay.	Pearce.
Gibson.	Sanders.
Hornaday.	Shirley.
Johnson.	Smith of Atascosa.
Land.	Ware.
Loftin.	Woodall.

## Present—Not Voting.

Bird.	Reagan.
Eickenroht.	Wallace of Smith.

## Absent.

Beck.	Gray.
Dale.	Kinnear.
Gates.	Moore.

## Absent—Excused.

Albritton.	Powell.
Bonham.	Williams
Kirby.	of Sabine.
Montgomery.	

Mr. Young moved to reconsider the vote by which the resolutions were adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—108.

Mr. Speaker.	Morse.
Acker.	Moursund.
Alexander.	Murphy.
Anderson.	Nabors.
Avis.	Nicholson.
Barnett.	Olsen.
Barron.	Parish of Runnels.
Bass.	Parrish of Travis.
Beck.	Petsch.
Bird.	Poage.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Purl.
Cornwell.	Ramsey.
Cox.	Rawlins.
Cummings.	Renfro
Daniel.	of Angelina.
Davis.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Denman.	Rogers of Shelby.
Durham.	Rowell.
Duvall.	Satterwhite.
Enderby.	Shaver.
Eickenroht.	Shearer.
Faulk.	Sheats.
Fly.	Shirley.
Foster.	Simmons.
Fuchs.	Sinks.
Gilbert.	Smith of El Paso.
Graves.	Smith of Nueces.
Gray.	Smith of Smith.
Hagaman.	Snelgrove.
Hall.	Stell.
Harding.	Storey.
Harman.	Stout.
High.	Sutton.
Holder.	Swain.
Holland.	Taylor.
Johnson.	Teer.
Jones.	Turner.
Justice.	Van Zandt.
Kemble.	Veatch.
Kennedy.	Waddell.
Kenyon.	Wallace
Kincaid.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Land.	Wassell.
Lipscomb.	Webb.
Loy.	Wells.
McCombs.	Whitaker.
McGill.	Williams
McKean.	of Travis.
Merritt.	Williamson.
Minor.	Woodruff.

## Nays—21.

Dielmann.	Masterson.
Dunlap.	Pavlica.
Finlay.	Pearce.
Gibson.	Runge.
Hefley.	Sanders.
Hornaday.	Smith of Atascosa.
Jacks.	Smyth.
King of Hopkins.	Walker.
Kirkland.	Ware.
Loftin.	Woodall.
Long.	

## Absent.

Bateman.	Kayton.
Black.	Kinnear.
Boggs.	Moore.
Dale.	Reagan.
Farrar.	Stevenson.
Forbes.	Young.
Gates.	

## Absent—Excused.

Albritton.	Powell.
Bonham.	Tillotson.
Kirby.	Williams
Montgomery.	of Sabine.

## Instructions to Sergeant-at-Arms.

The Speaker then delivered the following instructions to the Sergeant-at-Arms of the House:

Office of Speaker,  
Austin, Texas, February 8, 1927.

Mr. Joe W. White, Sergeant-at-Arms,  
House of Representatives, Austin,  
Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, A. D. 1927, expelling F. A. Dale, I now request that you notify the said F. A. Dale of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said F. A. Dale, and declared his seat vacant.

Respectfully submitted,  
ROBERT LEE BOBBITT,  
Speaker of the House.

Office of the Speaker,  
Austin, Texas, February 8, 1927.  
Mr. Joe W. White, Sergeant-at-Arms,  
House of Representatives, Austin,  
Texas.

My Dear Sir: In accordance with the resolution adopted by the House of Representatives on this, the 8th day of February, 1927, expelling H. H. Moore, I now request that you notify the said

H. H. Moore of the action of this body. Also, that you notify the Governor of this State, the Hon. Dan Moody, that on this day the House of Representatives has expelled the said H. H. Moore, and declared his seat vacant.

Respectfully submitted,  
ROBERT LEE BOBBITT,  
Speaker of the House.

## Reasons for Votes.

I vote "nay" on the committee report. I feel in my heart that I cannot vote to expel Mr. Dale and Mr. Moore. I still have doubt in my heart as to their guilt.

PAVLICA.

I vote against the expulsion of Moore for the reason that I do not believe Chamberlin under oath. I believe him to be a liar, a grafter and a crook. His is the main testimony against Moore. The only punishment we are voting on is expulsion. I believe Moore should be punished some way for even eating lunch with such an animal as I believe Chamberlin to be, but he should not be expelled.

FINLAY.

Having been away during the investigation of the above cause, and listening attentively as possible to the reading of the evidence since my return, the full purport I could not follow on account of the confusion and noise in the House. I cannot cast an intelligent vote, and not wishing to harm or injure any man, I therefore vote "present—not voting."

BIRD.